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*Please note: All articles are available in the attached PDF.

1 — New Mexico oil and gas companies sign on to reduce emissions, Albuquerque Journal, 12/13/17 https://www.abqjournal.com/1106191/new-mexico-oil-and-gas-companies-sign-on-to-reduce-emissions.html
Some of the biggest names in energy production in New Mexico have signed on to a national effort within the oil and gas industry to curb methane emissions as pressure mounts for states to enact more pollution laws.

2 — University of Houston to lead new hurricane research center, Houston Chronicle, 12/13/17 https://www.chron.com/local/education/campus-chronicles/article/University-of-Houston-to-lead-new-hurricane-12425742.php

The University of Houston will lead a new Gulf Coast hurricane research institute to examine flood mitigation, hurricane modeling and public policy as part of a multi-state effort to respond to damages wrought this year by hurricanes Harvey, Irma and Maria.

3 — Trump administration expected to weaken EPA chemical safeguards, Business Insurance, 12/13/17 http://www.businessinsurance.com/article/20171213/NEWS06/912317903/President-expected-to-weaken-EPA-chemical-safeguards

The Trump administration is likely to move to repeal all of the U.S. Environmental Protection Agency's regulatory amendments designed to prevent chemical incidents such as the West, Texas, fertilizer disaster that killed 15 people, according to a legal expert.

4- U.S. Chemical Safety Board sued for not creating emissions reporting rule, Chemical & Engineering News, 12/13/17

https://cen.acs.org/articles/95/i49/US-Chemical-Safety-Board-sued.html

Several nonprofit organizations sued the U.S. Chemical Safety Board earlier this month for failing to establish a national reporting system to collect data on air pollution emissions from accidents by U.S. companies. The CSB reporting system is required by the Clean Air Act of 1990, which created the board.

5 — Ninth Circuit Will Review Two of Three TSCA Framework Rules, National Law Review, 12/13/17 https://www.natlawreview.com/article/ninth-circuit-will-review-two-three-tsca-framework-rules

On December 11, 2017, in the U.S. Court of Appeals for the Fourth Circuit case on the petition for review of the Toxic Substances Control Act framework rule Procedures for Chemical Risk Evaluation under TSCA, the Fourth Circuit granted the petitioners' motions to transfer to the Ninth Circuit.

6 — 'Striking' research shows climate driving extreme events, E&E News, 12/14/17 https://www.eenews.net/climatewire/stories/1060069005

Some recent weather events were not only influenced by climate change — they wouldn't have been possible without it, according to research scientists see as some of the strongest evidence yet that warming is reshaping the planet in entirely new ways.

^{*}To receive the Daily News Digest in your inbox, email R6Press@epa.gov.

7 — Low-weight newborns linked to next-door fracking — study, E&E News, 12/14/17

https://www.eenews.net/energywire/stories/1060068995

Mothers who live close to fracking wells could be as much as 25 percent more likely to give birth to low-weight babies, according to a study published yesterday in the journal Science Advances.

8 — Texas wants Trump to back away from ethanol, San Antonio Express-News, 12/13/17

http://www.expressnews.com/business/eagle-ford-energy/article/Texas-wants-Trump-to-back-away-from-ethanol-12428224.php

Texas politicians are increasing pressure on President Donald Trump to pull back a federal ethanol mandate created to reduce the nation's thirst for oil.

9 — EPA chief jets to Morocco to help promote fossil fuel use, Waco Tribune-Herald, 12/14/17

http://www.wacotrib.com/news/ap_nation/politics/epa-chief-jets-to-morocco-to-help-promote-fossil-fuel/article_29a82437-1378-56ea-88d4-1f12e495143c.html

The head of the Environmental Protection Agency flew to Morocco this week to help encourage the North African kingdom to import liquefied natural gas from the United States.

10 — 'We are at the tip of the spear': Baton Rouge opens international water research hub, E&E News, 12/14/17 https://www.eenews.net/stories/1060068965

American Electric Power Co. Inc. generated much applause over the summer when it unveiled a \$4.5 billion plan to invest in wind power centered in Oklahoma. But the regulatory reaction to the project — known as the Wind Catcher Energy Connection — has been far short of a standing ovation.

11 — State proposes \$562 million in coastal restoration, hurricane protection in FY '19, drop from '18, New Orleans Times-Picayune, 12/14/17

http://www.nola.com/environment/index.ssf/2017/12/state sets 5-year pause on usi.html#incart river index Louisiana expects to spend \$561.8 million on coastal restoration and hurricane protection projects in fiscal year 2019, with the vast majority going for restoration projects funded by financial settlements associated with the 2010 BP Deepwater Horizon oil spill, the Coastal Protection and Restoration Authority was told Wednesday.

12 — Cattle raisers applaud appointment of Idsal to EPA post, High Plains Journal, 12/14/17

http://www.hpj.com/livestock/cattle-raisers-applaud-appointment-of-idsal-to-epa-post/article 8ca405c8-1cff-5f6f-a1de-c31912a8f726.html

Richard Thorpe, president of the Texas and Southwestern Cattle Raisers Association issued a statement following the Environmental Protection Agency announcement of Anne Idsal's appointment as the EPA Regional Administrator for Region 6.

13- USDA to begin testing oral toxic bait for invasive feral swine, Ag Daily, 12/14/17

https://www.agdaily.com/news/usda-oral-toxic-bait-feral-swine/

USDA's Animal and Plant Health Inspection Service (APHIS) is two steps closer to evaluating an oral toxic bait for use with invasive feral swine. The APHIS Wildlife Services (WS) received an Experimental Use Permit (EUP) from the EPA to conduct sodium nitrite toxic bait field trials on free-roaming feral swine in Texas and Alabama.

 $http://www.hpj.com/livestock/cattle-raisers-applaud-appointment-of-idsal-to-epa-post/article_8ca405c8-1cff-5f6f-a1de-c31912a8f726.html$

Cattle raisers applaud appointment of Idsal to EPA post

23 hrs ago

Richard Thorpe, president of the Texas and Southwestern Cattle Raisers Association issued the following statement following the Environmental Protection Agency announcement of Anne Idsal's appointment as the EPA Regional Administrator for Region 6. The region covers Texas, Oklahoma, Louisiana, Arkansas and New Mexico.

"On behalf of ranchers and landowners in Texas and across the Southwest, I applaud EPA Administrator Pruitt's appointment of Anne Idsal as Regional Administrator for Region 6 of the EPA. In addition to her exceptional public service experience, Anne was raised in a ranching family and knows first-hand that ranchers are the very best stewards of their land, and how devoted they are to preserving that heritage for future generations. We look forward to continuing to work together to secure a bright future for ranching families and the natural resources we cherish."

TSCRA is a 140-year-old trade association and is the largest and oldest livestock organization based in Texas. TSCRA has more than 17,500 beef cattle operations, ranching families and businesses as members. These members represent approximately 55,000 individuals directly involved in ranching and beef production who manage 4 million head of cattle on 76 million acres of range and pasture land primarily in Texas and Oklahoma, and throughout the Southwest.

For more TSCRA news releases, visit tscra.org.

http://www.apnewsarchive.com/2017/EPA-Administrator-Scott-Pruitt-flew-to-Morocco-to-help-encourage-the-North-African-kingdom-to-import-liquefied-natural-gas-from-the-United-States/id-427bd7084e87484d9bed5d7a8a59d669

EPA chief jets to Morocco to help promote fossil fuel use

By MICHAEL BIESECKER Associated Press Dec 13, 2017 Updated 13 hrs ago



FILE - In this June 2, 2017 file photo, EPA Administrator Scott Pruitt speaks in the Brady Press Briefing Room of the White House in Washington. Pruitt flew to Morocco the week of Dec. 11 to help encourage the North African kingdom to import liquefied natural gas from the United States. Pruitt was accompanied by at least four staff members on the trip, which the agency said also included bilateral meetings with government officials about updating an environmental work plan included in the U.S.-Morocco Free Trade Agreement. (AP Photo/Pablo Martinez Monsivais, File)

Pablo Martinez Monsivais

WASHINGTON (AP) — The head of the Environmental Protection Agency flew to Morocco this week to help encourage the North African kingdom to import liquefied natural gas from the United States, prompting Democrats and advocacy groups to question whether the trip was in keeping with the agency's mission of ensuring clean air and water.

EPA Administrator Scott Pruitt was accompanied by at least four staff members on the trip, which the agency said also included bilateral meetings with government officials about updating an environmental work plan included in the U.S.-Morocco Free Trade Agreement.

The trip cost nearly \$40,000, an EPA employee with direct knowledge of Pruitt's travel expenses told The Associated Press. The employee spoke on condition of anonymity, citing concerns of retaliation. That does not include salary and overtime costs for the armed, around-the-clock security detail that accompanies Pruitt wherever he goes.

"We are committed to working closely with countries like Morocco to enhance environmental stewardship around the world," said Pruitt, a Republican.

Pruitt's frequent government-funded travel and other spending are already under review by EPA's inspector general. Pruitt told a congressional oversight committee earlier this month that all of his expenses are all justified, including the nearly \$25,000 in public funds spent on a custom-made soundproof booth the administrator uses for making private phone calls from his office.

Rep. Betty McCollum, the ranking Democrat on the House appropriations subcommittee that oversees EPA funding, said she is looking forward to seeing the results of the inspector general's investigation into Pruitt's spending.

"I question whether promoting fossil-fuel sales abroad aligns with the EPA's core mission of protecting human health and the environment," said McCullum, who is from Minnesota.

Pruitt's airfare, accommodations and other costs for the Morocco trip accounted for more than \$17,500, nearly half of the total cost, according to AP's source. By comparison, expenses for Pruitt's chief policy adviser, Samantha Dravis, came in at a little over \$4,000 for the four-day excursion.

EPA initially declined to confirm whether Pruitt was going to Morocco when AP inquired about the trip Monday, citing security concerns about discussing his upcoming travel. EPA regularly issues media advisories about Pruitt's trips only after they are completed and frequently bars reporters from attending events where he speaks to special interest groups.

EPA spokesman Jahan Wilcox declined to answer questions Wednesday about why Pruitt's expenses outpaced other government employees on the Morocco trip, including whether the administrator flew in first class or other premium seats.

Federal travel guidelines dictate that government employees travel in economy class unless such tickets are not "reasonably available" or if there are exceptional security circumstances. However, past federal audits have found that those rules have been routinely violated by high-ranking government officials under both Republican and Democratic administrations.

Travel spending by members of President Donald Trump's Cabinet has been under scrutiny following the resignation of Health and Human Services Secretary Tom Price in September following media reports he spent at least \$400,000 in taxpayer funds on private jets for himself and his staff.

AP reported last week that Interior Secretary Ryan Zinke spent more than \$53,000 on three helicopter trips over the summer, including one that allowed him to return to Washington in time for a horseback ride with Vice President Mike Pence.

Records show Pruitt has taken at least four flights on non-commercial aircraft, costing more than \$58,000. EPA has said all of those flights were necessary and pre-approved by ethics layers.

Pruitt's detailed travel records from his first three months in Washington, the only period released so far, show he also spent about \$15,000 on 10 trips that included weekend stopovers in his home state of Oklahoma — a practice that is a focus of the inspector general's review.

Prior to his appointment to lead EPA, Pruitt was known for championing the interests of the oil and gas industry as Oklahoma's attorney general. He rejects the consensus of climate scientists that mankind's continued burning of fossil fuels is the primary driver of climate change. Since coming to Washington, he has repeatedly moved to block or delay Obama-era efforts to curb carbon emissions.

Sierra Club Executive Director Michael Brune on Wednesday said the trip was another reason Pruitt should resign.

"The EPA Administrator's job is to protect the health of the public and the environment, but Scott Pruitt instead acts like he is a globe-trotting salesman for the fossil fuel industry who can make taxpayers foot the bill," Brune said.

New Mexico oil and gas companies sign on to reduce emissions

By Associated Press

Published: Wednesday, December 13th, 2017 at 1:50pm Updated: Wednesday, December 13th, 2017 at 4:47pm

ALBUQUERQUE, N.M. — Some of the biggest names in energy production in New Mexico have signed on to a national effort within the oil and gas industry to curb methane emissions as pressure mounts for states to enact more pollution laws.

The move comes as the U.S. Interior Department announced it would delay an Obama-era regulation aimed at restricting harmful methane emissions from production on federal lands.

Industry officials in New Mexico say BP America, Chevron, ConocoPhillips, Devon Energy and others see the effort to reduce emissions as a priority and that work already underway has led to lower methane levels. Companies are using drones, for example, to monitor for leaks.

Under the partnership, companies will participate in programs that focus on addressing leaks and repairing or replacing certain pneumatic controllers at wells and other sites that are known for releasing methane.

State regulators testified recently before a panel of lawmakers that the most recent figures show a more than 50 percent decrease in emissions in New Mexico over the past year from venting and flaring during the initial stages of oil and gas production.

About 1 percent of all gas produced in the state is vented or flared, according to the figures from the state Energy, Minerals and Natural Resources Department.

Environmentalists argue emissions are higher than what state and federal regulators have measured and that unintentional releases are not being accounted for. They say New Mexico is losing out on taxes and royalties that would be earned if more of the gas was captured.

U.S. Rep. Michelle Lujan Grisham, who is seeking the Democratic nomination for governor in New Mexico, reiterated many of the concerns highlighted by environmentalists in recent weeks. She issued a statement Tuesday, suggesting that if elected as the state's leader she would work with business and conservation leaders on what she called "common sense statewide rules."

While she did not offer many specifics, she said requiring regular inspections would be one option and that jobs stemming from efforts to address the pollution problem would further benefit New Mexico's economy.

"The oil and gas industry has invested more than \$13 billion in southeastern New Mexico's Permian Basin this year, creating a new drilling boom. While some of those drillers have committed to measures to limit methane waste and pollution, we have a long way to go. We need consistent standards," Lujan Grisham said.

Industry officials have pointed to the ongoing reductions and have argued that federal regulations called for by environmentalists and the possibility of more state rules would result in higher costs and ultimately job and revenue losses.

Robert McEntyre, a spokesman for the New Mexico Oil and Gas Association, said the industry — rather than politicians and activist groups — have been leading the way.

"There still is a significant push from industry and significant opportunities to develop technology and innovate in the field versus to rule by decree, which is what politicians have wanted to do for a long time," he said.

Ninth Circuit Will Review Two of Three TSCA Framework Rules

Article By: Lynn L. Bergeson

On December 11, 2017, in the U.S. Court of Appeals for the Fourth Circuit (Fourth Circuit) case on the petition for review of the Toxic Substances Control Act (TSCA) framework rule Procedures for Chemical Risk Evaluation under TSCA (*Alliance of Nurses for Healthy Environments v. EPA*, Case Nos. 17-1926, 17-2040, and 17-2244 (consolidated)), the Fourth Circuit granted the petitioners' motions to transfer to the Ninth Circuit. This was not entirely unexpected, as the U.S. Court of Appeals for the Ninth Circuit (Ninth Circuit) recently denied the U.S. Environmental Protection Agency's (EPA or respondent) motions to transfer to the Ninth Circuit the consolidated cases on the petition for review of one of the other TSCA framework rules, Procedures for Prioritization of Chemicals for Risk Evaluation (*Safer Chemicals, Healthy Families v. EPA*, Case Nos. 17-72260, 17-72501, and 17-72968 (consolidated)) to the Fourth Circuit. Now both of these cases will be decided in the Ninth Circuit. In the U.S. Court of Appeals for the D.C. Circuit (D.C. Circuit) case on the petition for review of the TSCA framework rule TSCA Inventory Notification (Active-Inactive) Requirements (*EDF v. EPA*, Case No. 17-1201), neither the petitioner or the respondents have moved to transfer this case so it will in all likelihood stay in the D.C. Circuit.

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PUBLIC HEALTH

Low-weight newborns linked to next-door fracking — study

David laconangelo, E&E News reporter Published: Thursday, December 14, 2017



A new study examines hydraulic fracturing's effect on infant health. U.S. Geological Survey/Wikipedia

Mothers who live close to fracking wells could be as much as 25 percent more likely to give birth to low-weight babies, according to a **study** published yesterday in the journal *Science Advances*.

Researchers from Princeton University, UCLA and the University of Chicago compared infant health data from 1.1 million Pennsylvania birth certificates to a state inventory of hydraulic fracturing sites from 2004 to 2013. Health impacts began appearing among infants born to mothers who resided within 3 kilometers (about 1.86 miles) from a fracked oil or gas well, they found, and peaked among those living within 1 kilometer (about 0.62 miles).

Several studies in recent years have examined hydraulic fracturing's possible impacts on public health, mainly addressing water pollution and air emissions near wells. The new analysis is the first to focus on infant health, which could be useful for gauging effects across a bigger swath of the public in part because the timing of exposure is easier to pinpoint, wrote the authors.

In general, people who live outside the 3-kilometer radius from a well probably shouldn't worry about exposure, said Janet Currie, the lead author of the study and a Princeton professor of economics and public affairs.

But "if I'm living within 1 kilometer, that's very close. I can probably see it. And people living at that distance might think about moving, at least temporarily," she said.

It might also mean local communities should think about restrictions on fracking within the range of impact, or compensate nearby residents who want to move, she added.

"I think it's helpful to distinguish effects at different distances, because it does suggest that keeping more of a buffer zone around fracking activities could mitigate health effects a lot," she said.

Mothers whose babies may have suffered in-utero exposure were often younger, less educated and less likely to be married when they gave birth — characteristics, the researchers acknowledged, that "might lead to worse infant health outcomes even in the absence of fracturing." Over time, a growing proportion of the mothers living 3 to 15 kilometers from wells were African-American, as drilling spread near urban areas like Pittsburgh.

One of the ways the team controlled for these potential variables was by studying babies born to mothers who lived at various ranges before wells were drilled and those born after the fact.

Still, the team's estimates for the scope of potential impact were considerable: About 29,000 infants across the country were born to women residing within the 1-kilometer radius between July 2012 and June 2013, or about 0.7 percent of the nation's newborns.

"What we're probably picking up is some kind of air pollution" — chemicals released by fracking operations as well as conventional pollution generated by heavy trucks and other traffic — rather than pollution in drinking water, said Currie.

That means it's not much different from living beside a busy highway or pollution-producing plant of any type, she added. "It's an industrial activity. It generates pollution. That can have an effect on people's health. That really shouldn't be surprising."

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REGULATION

AEP's \$4.5B Wind Catcher aims to overcome bumpy reception

Edward Klump, E&E News reporter
Energywire: Thursday, December 14, 2017



The Wind Catcher Energy Connection project is designed to include a wind farm and an "extra-high-voltage power line" in Oklahoma, according to American Electric Power Co. Inc. A drone captured this past view of the Wind Catcher facility site. Wind Catcher

American Electric Power Co. Inc. generated much applause over the summer when it unveiled a \$4.5 billion plan to invest in wind power centered in Oklahoma.

But the regulatory reaction to the project — known as the Wind Catcher Energy Connection — has been far short of a standing ovation.

Dockets in Arkansas, Oklahoma and Texas are peppered with concerns over everything from the selection process to cost estimates. Louisiana is also reviewing the plan, though regulators eased the burden a bit in that state. The Oklahoma attorney general's office has delivered withering criticism of the plan, fighting unsuccessfully so far to have a preapproval request dismissed.

"It's not surprising that there's opposition" from some parties, said Paul Patterson, an analyst with Glenrock Associates LLC. "It's a big, large, complicated project, and there are a lot of things that have to fall into place."

AEP's Wind Catcher proposal envisions the purchase of a 2,000-megawatt wind farm that Invenergy LLC is working to build in Oklahoma. The proposal also includes the construction of a 765-kilovolt power line that would run about 350 miles within Oklahoma. The company is reaching out to states to secure approval for cost recovery once the project is in service.

Wind Catcher would send power to customers of two AEP entities — Public Service Co. of Oklahoma (PSO) and Southwestern Electric Power Co. (SWEPCO). AEP has said the plan is designed to save customers more than \$7 billion over 25 years, net of cost.

To Patterson, there should be room for a possible settlement or compromise in the proceedings. A potential for savings, he said, usually "gets people's attention."

In July, AEP said SWEPCO would own 70 percent of the project and roughly 1,400 MW of wind, while PSO would have 30 percent and about 600 MW of wind (*Energywire*, July 27). PSO serves chunks of Oklahoma, and SWEPCO operates in portions of Arkansas, Louisiana and Texas.

Several environmental groups were pleased to see the wind proposal earlier this year, especially as discussions simmer about changes in the U.S. energy mix. The goal is to have Wind Catcher ready to deliver

power to customers in about three years. It's expected to be one of the biggest single-site wind projects in the United States.

Stan Whiteford, a PSO spokesman, said the project would provide the lowest-cost energy for PSO on its system. It also would help replace a coal-fueled generating unit that's expected to close in less than a decade, he said.

Positives for SWEPCO from Wind Catcher, according to that company, would be more use of a resource that lacks a fuel cost as well as cost-effective delivery of power. Wind Catcher is also being positioned to take advantage of the federal production tax credit.

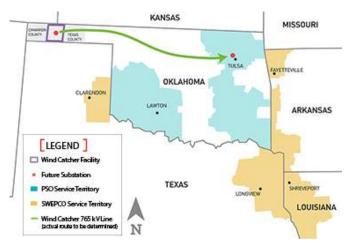
Concerns and options

Testimony filed over the Wind Catcher project shows some of the emerging flashpoints, including at the Oklahoma Corporation Commission (OCC).

"The commission should not grant PSO's request because PSO has not shown that acquiring 600 MW of additional wind is a reasonable procurement strategy and has not justified a waiver from competitive bidding requirements," said Frank Mossburg, a witness testifying on behalf of the OCC staff.

John Athas, a consultant testifying on behalf of the Arkansas Public Service Commission's general staff, <u>said</u>, "SWEPCO has not demonstrated that the Wind Catcher Project is among the least cost alternatives available" to add over 1,300 MW of wind capacity to the system.

A <u>docket</u> in Texas includes testimony from David Smithson, an engineering specialist with the Public Utility Commission of Texas. He registered concerns about reliability and cost.



[+] A 765-kilovolt line would run through Oklahoma under the plan for the Wind Catcher project, though an exact route hasn't been determined. Wind Catcher

"I recommend that the Commission deny the Application, based on the risk it poses to Texas retail ratepayers," he said.

Yet the states also laid out options if commissioners are looking to go forward with the project.

If Texas regulators approve the application, Smithson said they could require SWEPCO to guarantee certain revenue requirement savings and possibly cap the share in Texas of capital costs. In Arkansas, Athas suggested SWEPCO provide analyses and testimony addressing its justification for the plan. While calling for more information, he said Wind Catcher could be a reasonable

option.

The testimony from Mossburg in Oklahoma said more analysis could look at the reasonableness of the project. He said the OCC, if it believes the wind acquisition is reasonable, should have it compete against market alternatives and consider certain risk protections for ratepayers.

Whiteford of PSO said his company is reviewing comments and preparing rebuttal testimony slated to be filed in Oklahoma this month. AEP is hoping for state approvals generally by the end of spring 2018, he said. That could allow the Wind Catcher facility and power line to be in place by the end of 2020.

A route proposal may be finalized by the end of January 2018, Whiteford said. The spokesman said PSO is looking forward to addressing questions in Oklahoma.

"We anticipate having discussions beyond just the filing of testimony," Whiteford said.

Still, the office of Oklahoma Attorney General Mike Hunter has blasted Wind Catcher.

Todd Bohrmann, who works in the office, said in testimony that PSO failed on a number of fronts, including a lack of a "compelling argument" for why it deserves a "good cause" exception after it didn't follow certain standards when seeking preapproval. Bohrmann also questioned the need and cost-effectiveness of the wind project.

PSO couldn't demonstrate that Wind Catcher is "in the public interest" or that it adequately addresses certain issues, including the effect on network reliability and the economic impact on ratepayers, according to

Bohrmann.

Tracking filings

In Louisiana, the situation is a little different. A move by the Louisiana Public Service Commission (LPSC) gave SWEPCO an exception to a competitive solicitation process.

"This only eased the requirement that they put the project out for bid, but did not ease the requirement for SWEPCO to show the need for the project" and that it sufficiently tested the market for the lowest reasonable cost resource, Colby Cook, an LPSC spokesman, said via email.

Staff members are "closely following the procedural schedules and filings" at commissions in Arkansas. Oklahoma and Texas, Cook said. LPSC staff testimony is due next month, he said.

In Oklahoma, the site of the wind farm and power line proposal, there are many considerations.

Take Clean Line Energy Partners LLC, which is involved in the Plains and Eastern project that would take wind energy from the Oklahoma Panhandle to the U.S. Southeast. In testimony, a consultant speaking on behalf of Plains and Eastern said that project could serve as a link for Wind Catcher.

It's not clear that such an idea would gain much traction with AEP or others, but the Plains and Eastern suggestion lingers as that project looks for customers (*Energywire*, Dec. 13).

At the same time, potential opposition among residents to the power line piece of Wind Catcher is stirring, as the Associated Press noted recently.

Whiteford said PSO has held open houses to help learn about areas and hear possible concerns as work continues on finalizing a potential route.

Moves by state commissions could give Wind Catcher momentum or slow its progress in the months ahead. Patterson noted that Xcel Energy Inc. was able to reach a potential settlement in New Mexico on a plan to increase wind energy generation in its region.

In a news release this week, Xcel said the settlement with key groups includes an investment cap tied to construction cost estimates of wind farms; a minimum annual net capacity factor for wind turbines; and a guarantee that customers will be credited 100 percent of the federal production tax credit.

At the same time, Xcel said parties agreed it could use certain provisions to help match the beginning of cost recovery in New Mexico retail rates with in-service dates for wind installations.

The settlement will still be reviewed by New Mexico regulators, and Xcel said work remained as it sought a settlement in Texas. Regardless, the idea shows a possible route for Wind Catcher as it faces questions and concerns.

The Southwest Power Pool, a regional transmission organization that handles a middle swath of the United States, will also play a role as it studies the potential impact of Wind Catcher on its system.

AEP has "a lot of t's to cross and i's to dot to get this thing over the goal line," Patterson said.

But he added later, "One should also take into account that these projects have the potential of saving a substantial amount of money for customers."

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Texas wants Trump to back away from ethanol

By James Osborne, Staff Writer | December 13, 2017 | Updated: December 13, 2017 2:57pm

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Photo: Aaron Eisenhauer /AP

IMAGE 1 OF 3

The Mid Missouri Energy ethanol plant rises out of the cornfields near Malta Bend, Mo., Aug. 15, 2006. Texas politicians are increasing pressure on President Donald Trump to pull back a federal ethanol mandate ... more

WASHINGTON — Texas politicians are increasing pressure on President Donald Trump to pull back a federal ethanol mandate created to reduce the nation's thirst for oil.

Sen. Ted Cruz, R-Texas, and other Republican senators met with President Donald Trump last week to discuss changes, after the Environmental Protection Agency said earlier this year that it would slightly increase the amount biofuel that must be blending into gasoline for 2018 and would not make changes to the program long sought by Republicans from oil-rich states.

In a letter in late October, Cruz and eight other Republican senators, including Sen.

John Cornyn, R-Texas, and Sen. James Inhofe, R-Okla., asked Trump to meet, so they could "discuss a pathway forward toward a mutually agreeable solution" on the biofuel mandate, known as the renewable fuel standard.

"If your administration does not make adjustments or reforms on matters related to the renewable fuel standard," the senators said in the letter, "it will result in a loss of jobs around the country, particularly in our states."

At last week's meeting were Trump, Chief of Staff John Kelly, EPA chief Scott Pruitt, Agriculture Secretary Sonny Perdue, Deputy Energy Secretary Dan Brouillette and Trump economic adviser Gary Cohn, as well as 11 senators, including Cruz and Cornyn.

Trump is "aware that workers in the refining sector believe the program isn't working as intended," a White House spokesman said. "He will listen to the concerns of senators who represent these workers, with the hope of finding common ground."

During the meeting, Trump encouraged senators to find a solution that was "win-win"

LOCAL BUSINESS



Cantu told FBI her affair with Uresti began in 2010 with



Texas wants Trump to back away from ethanol



Local home sales continued to rise in November

FirstNet gives Texas emergency workers 'ruthless preemption'

for refineries, biofuels producers and consumers, a lobbyist briefed on the meeting said.



"We had a productive meeting today with the president to discuss how to fix the compliance problem in a way that protects both refinery workers and corn farmers," Cruz and other senators said in a statement.

An aide to Cornyn said the senator was "working hard to unify all stakeholders in a consensus effort to reform" the biofuel program.

For Cruz, the debate over ethanol comes as he gears up for next year's election, in which he is being challenged by Rep. Beto O'Rourke, D-El Paso.

Cruz is considered a strong frontrunner in that race, but as he gears up his campaign he has been a more regular presence in Texas, with frequent public events and meetings in recent weeks with Houston Mayor Sylvester Turner and the Texas Farm Bureau. The meeting at the White House came after Cruz and Sen. Jeff Flake, R-Ariz., blocked a confirmation vote in the Senate on Bill Northey, Trump's nominee to be a undersecretary of agriculture.

But the White House faces opposing pressure from politicians in the Midwest, a region for which mandate, enacted more than a decade ago, has created an economic boom through increased demand for corn, the principal source of ethanol in this country.

Sen. Chuck Grassley, R-Iowa, downplayed the White House meeting with Cruz, telling the Des Moines Register, "the president keeps doing what he's told the voters of Iowa, me and Sen.

Ernst so many times — that he supports ethanol." (Sen. Joni Ernst is Iowa's junior U.S. senator).

Ethanol represents about 10 percent of the nation's motor fuel supply, and Texas refiners have long complained not only about the loss of demand for gasoline, but the cost of buying the Renewable Identification Numbers — or RINs — that are required by Washington.

The EPA assigns RINs to individual batches of biofuels, to ensure they are being added to the fuel supply. For those refineries that don't blend ethanol themselves, they must buy RINs, which are traded in financial markets.

Joe Gorder, CEO of San Antonio-based Valero Energy Corp., has said Valero's cost of Renewable Identification Numbers, or RINs, the credits used for compliance, is between \$800 million and \$1 billion a year. According to Valero's 2016 annual filing with the Securities and Exchange Commission, "to the degree that we are unable to blend biofuels at the required percentage, we must purchase biofuel credits to meet our obligation."

The cost of RINs has fluctuated dramatically in recent years. Earlier this month, Texas Governor Greg Abbott wrote to Pruitt, asking for a waiver from the mandate for Texas. "The escalating and unjustified RINs prices are creating a severe economic hardship for refiners, small retailers, consumers, skilled labor and others," Abbott wrote. "The strength and resiliency of the industry and by extension, Texas' economy — is threatened by a restrictive federal mandate."

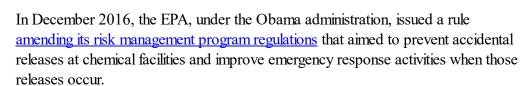
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Trump administration expected to weaken EPA chemical safeguards

Posted On: Dec. 13, 2017 1:56 PM CST

Gloria Gonzalez

The Trump administration is likely to move to repeal all of the U.S. Environmental Protection Agency's regulatory amendments designed to prevent chemical incidents such as the West, Texas, fertilizer disaster that killed 15 people, according to a legal expert.





The rule was scheduled to take effect in March but was delayed until June by the Trump administration, which eventually issued a new regulation further delaying the effective date to Feb. 19, 2019, so that it could consider petitions to reconsider the program amendments.

"My sense is, at this moment in time, the most vulnerable elements are all of them," Eric Conn, chair of the U.S. Occupational Safety and Health Administration workplace safety group for *Conn Maciel Carey* L.L.P., said during a webinar hosted by his law firm on Tuesday. "It's likely to be a complete withdrawal or rescinding of the amendments that were advanced."

In July, 11 state attorneys general <u>sued the EPA</u> in the U.S. Court of Appeals, District of Columbia Circuit, accusing the Trump administration of implementing an illegal two-year delay to the accidental release prevention regulations under Section 112(r) of the Clean Air Act — also known as the EPA risk management program regulations — and asked the court to vacate the delay rule. But the EPA filed a motion on Friday to dismiss the litigation, arguing that the petitioners lacked standing and that the agency had "ample authority" to issue its delay rule.

"If the delay is found to be an unlawful rule, the amendments would go into effect, but that would not stop the agency from undertaking a new rulemaking to analyze amendments to the amendments, rescind the amendments or doing something different altogether," Mr. Conn said. "We're paying close attention to that challenge."

Some organizations petitioning the EPA to reconsider the rule noted that the news that the West, Texas fertilizer incident was the result of arson rather than an accident showed that the amendments were based partly on an "important mistaken assumption" and complained that the late timing of the finding precluded effective comments on this new development, according to the EPA's court filing. In addition, some petitioners objected to the rule's disclosure requirements and expressed concern they could increase security risks.

"Clearly, (the) EPA does not desire to establish regulations that increase security risks," the agency said. "While (the) EPA has not concluded that the (amendments) would increase such risks, the petitioner's concerns, which are echoed by many other commenters, require careful consideration and cannot be dismissed out of hand."

There was concern about how much of the information about the chemicals in these facilities would be shared publicly versus being shared only with emergency responders, Mr. Conn said. The rule as initially proposed included a broad disclosure requirement – in direct response to the West, Texas, incident in which the local first responders were unaware of the chemical hazards in the facility.

"There was a great deal of concern about having out there accessible to terrorists and ne'er-do-wells exactly what chemicals are onsite and what volumes and how the facility could be significantly impacted by events like attacks on the facility or accidents at the facility," he said.

The rule's requirement for companies to conduct a safer technology and alternatives analysis was "the element of the RMP amendment that probably caused the most heartburn among operators and employers," Mr. Conn said. "This was going to be essentially adding a whole new process hazard analysis to the PHA process where you analyze the availability and the feasibility of alternative chemicals, alternative technologies, alternative equipment that might be inherently safer or safer in any measure than the technologies and the chemicals already in place in your process."

The requirement for this type of ongoing analysis is "a real big deal," he said. "It's one thing to do a risk engineering analysis before a new process goes online. It's an entirely different ballgame to look at this in the life of the process ... making this a significant burden and great challenge for operators and employers."

Meanwhile, OSHA is unlikely to move on a modernization of its process safety management standard: "a sister rulemaking" to the EPA's risk management program amendments, Mr. Conn said. In July, the Trump administration proposed its Unified Agenda, which reports on regulatory and deregulatory activities under development for the coming year, and the PSM item was moved to the long-term action list, "also known as the backburner," he said.

"On the OSHA front, we don't expect to see any further progress on this rule during the Trump administration," Mr. Conn said.

U.S. Chemical Safety Board sued for not creating emissions reporting rule

Regulation proposed in 2009 but dropped because of cost, industry opposition

By Jeff Johnson, special to C&EN



First responders have sued Arkema for alleged exposure to toxic fumes after tailers of organic peroxides ignited at the company's Crosby, Texas, site after flooding from Tropical Storm Harvey.

Credit: AP

Several nonprofit organizations sued the U.S. Chemical Safety Board earlier this month for failing to establish a national reporting system to collect data on air pollution emissions from accidents by U.S. companies. The CSB reporting system is required by the Clean Air Act of 1990, **which created the board**

http://www.csb.gov/UserFiles/file/legal/Legislative%20Authority.pdf.

CSB is an independent federal agency responsible for investigating industrial, chemically related accidents and determining their root cause. Several hundred accidents occur annually that meet the criteria for CSB investigations—a fatality among workers or the public, serious

injuries, or substantial property damages—although the agency only has the resources to investigate a few.

CSB has in the past recognized the importance of the reporting requirement and proposed a regulation in 2009. In that proposal, the board identified a host of improvements that would come from the regulation. It noted, for instance, that timeliness, completeness, and accuracy of chemical incident reports would be improved. Also, required reporting would better help the agency assess issues and trends and further the cause of accident prevention, the proposal said.

But CSB dropped the proposal due to a combination of implementation costs, **lack of funding <https://cen.acs.org/articles/95/i21/US-Chemical-Safety-Board-faces.html>**, and industry opposition to new reporting requirements, according to sources familiar with the proposal.

The arguments in the lawsuit https://www.peer.org/news/news-releases/lawsuit-to-require-chemical-accident-emission-reports.html pushing for the reporting regulation largely echo those that CSB identified in its proposal. CSB currently tracks incidents using media reports in combination with data collected by the U.S. Coast Guard National Response Center and a mix of other sources of accident information.

Adam Carlesco, a lawyer with Public Employees for Environmental Responsibility, which is leading the litigation, compares that current system to a "news clipping service" and calls it an inadequate safeguard for the health of communities, workers, and first responders.

CSB did not respond to questions. Aside from the suit, the agency has been hammered for more than a decade by reports from the Government Accountability Office and the EPA Office of Inspector General for its failure to comply with the Air Act's accident reporting provisions.

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University of Houston to lead new hurricane research center

Concept originated after Harvey, Irma, Maria

By Lindsay Ellis Updated 7:30 pm, Wednesday, December 13, 2017

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The University of Houston will lead a new Gulf Coast hurricane research institute to examine flood mitigation, hurricane modeling and public policy as part of a multistate effort to respond to damages wrought this year by hurricanes Harvey, Irma and Maria.

uding Rice University — will contribute a combined \$1.87 unding expected from external grants.

The institute puts Houston at the center of hurricane research, which had been scattered across the state and region after storms killed dozens of people, disrupted local economies and caused billions of dollars in property damage.

"Academics are nonpartisan — we think about data and information, we guide the conversation, we don't have a vested interest in one solution versus another," said Hanadi Rifai, a UH civil and environmental engineering professor and the center's director. "(We will be) a very important resource to entities that don't have that capacity."

Other universities joining the institute are Texas Tech University, the University of Texas at Tyler, Louisiana State University, the University of Miami and the University of Florida. The center will be based in UH's engineering college.

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Emergency crews from across the Nation respond to flooding on the west side of the Barker Reservoir along South Mason Road in the Cinco Ranch and Canyon Gate subdivisions of Ft. Bend County, TX on August 29, 2017.

Rifai said UH is still reaching out to other campuses that may be interested in joining.

Harris County Judge Ed Emmett said more study could mean better storm predictions.

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"Harvey was nothing but a tropical storm days before it hit," he said. "And then suddenly it became a hurricane...If we had someone to tell us what it is that caused Harvey to blow up into a hurricane instead of a tropical storm, that would help us."

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BEFORE & AFTER: Satellite photos show extreme damage of Hurricane Harvey

The center builds on a wide-ranging research effort in Texas that began after Harvey's floodwaters receded.

Professors and students in Texas spread around the state to examine environmental, economic and social issues, and UH's Rifai said she expected the center to fold in some of the work that has already started.

Researchers have tested water, tracked social media cries for help, examined mangroves and the Port Aransas coast and evaluated damage to libraries. An oral history project at UH will track Harvey's human impact.

Philip Klotzbach, who specializes in Atlantic hurricane forecasts at Colorado State University, called the pace of research after Harvey and the development of the center "jaw-droppingly quick."

The National Science Foundation issued requests for proposals after Harvey, Irma and Maria.

Moving forward, Klotzbach said that collaborative research is needed in forecasting storm strength, understanding why residents do not heed warnings and studying building codes.

"There's a lot of interest," he said. "Given what happened and the level of damage we saw in your neck of the woods, people are moving very quickly."

New findings have been released frequently this fall — including a landmark paper presented Wednesday at the annual American Geophysical Union in New Orleans.

Researchers found that global warming made Hurricane Harvey's more than 50 inches of rain three times more likely to occur when comparing today's climate to that of the 1880s. These extreme rain events will continue to occur if climate change continues unchecked, they found.

That's why policy makers "need to consider climate change in our design of infrastructure," said Antonia Sebastian, a Rice post doctoral researcher who is a coauthor on the paper.



IMAGE 1 OF 48

Joe Raedle/Getty Images

The institute's beginnings reach back to the aftermath of Hurricane Katrina, when Rice, LSU and UH academics began working together.

John Pardue, an LSU civil and environmental engineering professor, recalled the good relationships and smart ideas that followed. One development was Rice's Severe Storm Prediction, Education and Evacuation from Disasters center, through which specific faculty at various institutions work on storm research.

Pardue said he hopes to expand on SSPEED's work with the new center, both in the types of faculty who will submit proposals and in widening the scope of research to Florida.

"In some respect this builds a bigger plate for that effort," he said. "Miami, New Orleans, Houston — there's three distinct situations there. By focusing on those three case studies, we could really cover a lot that could be of real help to (more than) those cities."

Philip Bedient, director of the SSPEED center, is leading Rice's involvement in the new institute, a Rice spokesman said. Bedient was unavailable for comment Wednesday.

Rifai, the UH director, said emergency preparedness has come "a long way" since Katrina and that the center's research should continue to look forward.

Participating institutions are public and private, regional and elite. Each is contributing financially to the center's projects; UH put in \$500,000.

Administrators say they hope research from the project will inform policy on preparation and damage mitigation.

"The solutions may not lie with one faculty laboratory at a particular university," said Amir Mirmiran, UT-Tyler's provost.

Faculty at UT-Tyler have already focused their research on strengthening residential and commercial buildings to withstand hurricane forces, including better roofing systems, he said.

Faculty from the universities will evaluate research proposals and recommend which ones proceed. Projects considered by the institute will fall into one of six categories: mitigation, assessment, prediction, prevention, educating residents and recovery.

Center leaders say any faculty member from a participating institution can apply for hurricane-related research funding as long as the proposal involves collaboration with a professor at a different participating institution. Applications from professors for the first round of project funding will be due early next year.

Amr Elnashai, UH's research vice president, said he envisions such projects as a data-driven program to help officials relocate displaced residents or a simulation tool for decision makers that would show the outcomes of possible scenarios in times of crisis.

Emmett said he hopes the center will provide information that can help emergency management officials gauge potential risk from approaching storms.

Lindsay Ellis writes about higher education for the Chronicle. You can follow her on **Twitter** and send her tips at lindsay.ellis@chron.com. Alex Stuckey, who covers science and the environment, contributed to this report.

USDA to begin testing oral toxic bait for invasive feral swine

By AGDAILY Reporters Published: December 13, 2017

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USDA's Animal and Plant Health Inspection Service (APHIS) is two steps closer to evaluating an oral toxic bait for use with invasive feral swine. The APHIS Wildlife Services (WS) received an Experimental Use Permit (EUP) from the EPA to conduct sodium nitrite toxic bait field trials on free-roaming feral swine in Texas and Alabama. Second, APHIS signed a final environmental assessment and issued a Decision and Finding of No Significant Impact (FONSI) associated with conducting such field trials.

"Wildlife Services takes the selection and use of toxic baits for use in wildlife damage management very seriously. The final environmental assessment, FONSI and EUP are the result of years of collaborative research by WS and multiple private, state, federal, and international partners," states WS Deputy Administrator Bill Clay. "With these in place, we can now begin field trials to help determine the effectiveness of the sodium nitrite toxic bait for removing feral swine sounders in natural settings, as well as any potential impacts to non-target wildlife."

The EUP allows WS researchers to partner with landowners to identify and target 3 to 9 feral swine sounders (i.e., social groups containing adults and juveniles) each in Texas and Alabama. Bait delivery systems designed to prevent access by non-target wildlife will be filled with placebo bait, placed in the sounders' territories and monitored with motion-activated cameras. Following a period of acclimation to confirm feral swine use of the baiting areas, the placebo bait will be replaced with sodium nitrite toxic bait for two nights. Furthermore, at least 30 feral swine and no more than 30 raccoons in each state's study area will be live captured and radio-collared prior to baiting in order to monitor their movements and exposure to the bait. Landowners within 300 meters/328 yards of bait stations will be notified and signs will be placed on bait stations and along roads leading into the study areas.

Sodium nitrite (NaNO2) is a meat preservative commonly used to cure meats such as sausage and bacon. When eaten in high doses over a short period of time, it is toxic to feral swine. The mode of death is similar to carbon monoxide poisoning. Once enough **sodium nitrite** bait is eaten, the feral swine gets faint, is rendered unconscious, and quickly dies. In most cases, feral swine die within 2.5 to 3 hours after eating a lethal dose.

Many factors are considered when developing a toxic bait for feral swine. Not only must it be effective and humane in eliminating feral swine, but also low risk for those handling it, the environment, and wildlife. Other wildlife, such as raccoons, bears and deer, may be attracted to the sodium nitrite toxic bait. To prevent non-target species from accessing the bait, WS researchers will use delivery systems and baiting strategies designed for feral swine. Trials will not be

conducted in areas with known black bear populations.

Feral swine (also called wild pigs, Eurasian boar, or feral hogs) are a harmful and destructive invasive species causing damage and disease threats to crops, public property, native ecosystems, livestock health, and human health. More than 6 million feral swine are located in at least 35 states across the United States. Their damages to agricultural crops alone are estimated at \$190 million each year.

"Although trapping, aerial operations, and recreational hunting of feral swine have effectively reduced damage in some areas, studies show that at least 70 percent of feral swine must be removed each year in order to prevent population growth," states Clay. "Should the U.S. Environmental Protection Agency approve the toxic bait for use with feral swine, it could become another tool in the toolbox for integrated feral swine damage management."

The development of tools and techniques for use in feral swine damage management supports the National Feral Swine Damage Management Program— a nationally-coordinated effort among Federal, State, Tribal and local entities to manage feral swine damage and stop their spread.

WEATHER

'Striking' research shows climate driving extreme events

Chelsea Harvey, E&E News reporter • Published: Thursday, December 14, 2017



Extreme cold conditions caused ice accretions to cover the St. Joseph lighthouse on the shoreline of Lake Michigan in December 2016, near St. Joseph, Mich. Robert Franklin/South Bend Tribune via Associated Press

Some recent weather events were not only influenced by climate change — they wouldn't have been possible without it, according to research scientists see as some of the strongest evidence yet that warming is reshaping the planet in entirely new ways.

A <u>special annual edition</u> of the *Bulletin of the American Meteorological Society*, released yesterday, has compiled a collection of studies investigating the influence of climate change on more than two dozen extreme weather and climate events from 2016. Examining everything from <u>extreme heat in Thailand</u> to <u>record-breaking rainfall in China</u>, 21 of the 27 papers included in this year's report found that climate change was a significant driver.

And, remarkably, three papers found that the studied event could not have occurred at all without the influence of global warming.

One of these focused on the previous year's record-breaking global temperatures — 2016 goes down in history as the warmest year since record-keeping began in the 19th century. It concluded that "the 2016 record global warmth was only possible due to substantial centennial-scale anthropogenic warming." Studies on extreme heat in Asia and unusually warm water (sometimes referred to as "The Blob") off the coast of Alaska came to similar conclusions.

In the special bulletin's six-year history, dozens of studies have found that climate change helped shape the probability or intensity of an individual weather event. But this is the first time any of the included papers have suggested an event could not have occurred without it. They are also likely among the first, if not necessarily the first ever, to be published in any journal at all.

"I am not necessarily convinced that these are the first ever in the literature, but these are some of the stronger statements that I have seen," said Stephanie Herring, a NOAA climate scientist and one of the report's editors, at a press conference yesterday. And particularly for smaller-scale events, like the heat event in Asia or the warm Alaskan waters, these may be the first studies of their kind, added Andrew King, a climate scientist at the University of Melbourne.

The findings, Herring said, provide "evidence now that climate change is pushing events beyond thresholds that could have been achieved with natural variability alone."

For the last 15 years or so, scientists have been working to investigate the influence of climate change on extreme weather events around the world. It can be tricky territory — researchers generally caution that it's impossible to attribute any individual event solely to climate change, noting that natural climate variations also play a significant role. Rather, these studies explore the extent to which climate change made any given event

more likely to occur or more severe. For instance, one paper in this year's bulletin found that climate change increased the risk of the extreme summer rainfall over the Yangtze River in 2016 by anywhere from 17 to 59 percent

Typically, scientists conduct these studies with the help of climate models, which allow them to compare simulations of the existing climate with simulations of a world in which human-caused climate change did not exist. The three groundbreaking papers in this year's *Bulletin* were the first to find that the studied events could not have occurred in the world without global warming.

Scientists expected this shift — from climate change as just one driver to climate change as an essential component of some events — to occur eventually, the bulletin's editors noted in the report. And most researchers assumed it would first be observed in extreme heat events, where the influence of global warming is typically easiest to identify.

But, they add, "it is striking how quickly we are now starting to see such results."

In fact, Herring pointed out, the fact that not one, but three separate studies came to the same conclusion this year suggests that these are not the first events that would have been impossible without climate change, even if they're among the first to be discovered. The annual bulletin investigates a diverse set of weather events from the previous year, but it's hardly an exhaustive list — meaning more events that have not yet been examined by scientists may also fall into the same category.

The report cautions that the new findings don't necessarily change the existing narrative, which holds that no individual event can be attributed to climate change alone. Even if some weather events could not have occurred in a world without global warming, they were still born from the natural climate and weather systems that exist on Earth.

But this year's studies suggest that "the conversation needs to change again," Jeff Rosenfeld, the bulletin's editor-in-chief, said at yesterday's press conference. They indicate that climate change is not only influencing weather events around the world — it's subjecting the planet to completely new conditions, never seen before in recorded history.

"This is what the science is saying," Rosenfeld said. "These are not just new odds — these are new weather extremes that are made possible by a new climate."

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